



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/865,827

05/25/2001

Douglas Simpson

HARTFORD-CLAIMSPLACE

7658

45722

7590

12/03/2008

Howard IP Law Group

P.O. Box 226

Fort Washington, PA 19034

EXAMINER

KOPPIKAR, VIVEK D

ART UNIT

PAPER NUMBER

3686

MAIL DATE

DELIVERY MODE

12/03/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/865,827	<b>Applicant(s)</b> SIMPSON ET AL.	
	<b>Examiner</b> VIVEK D. KOPPIKAR	<b>Art Unit</b> 3686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3,5-10,14-25,27,29-32 and 35-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3, 5-10, 14-25, 27, 29-32 and 35-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of the Application***

1. Claims 3, 5-10, 14-25, 27, 29-32 and 35-44 have been examined in this application. This communication is a Final Office Action in response to the “Amendment” and “Remarks” filed on October 31, 2008.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 5-10 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of “Cutting Out the Middleman” (hereinafter referred to as Middleman) and in further view of “Customers of Foremost Insurance Group Companies Can Now File Claims on the Company’s Web Site” (hereinafter referred to as Foremost)).

(A) As per claims 3, Borghesi teaches a computer system for enabling claimants to self-service insurance claims for sustained, the system comprising:

a site generating component for generating a site on a global computer network for inputting insurance information from a plurality of sources (Borghesi: Col. 5, Ln. 51-Col. 6, Ln. 14);

a claim data analyzing component for analyzing the inputted information and identifying

claimants verifying insurance coverage and summarizing the claims based on the analyzing; (Borghesi: Col.9, Ln. 43-56 and Col. 17, Ln. 61-63);

Borghesi does not teach the following features which are taught by Foremost: 1) enabling claimants to self-service insurance claims (Foremost: Full Text Section: Paragraphs 2-4); 2) allowing claimants to directly input the insurance claims for sustained losses (Foremost: Full Text Section: Paragraph 2-4); and 3) a claim rehabilitation component aggregating services related to loss recovery and automatically providing the aggregated services to the claimants to rehabilitate the sustained losses in accordance with said analyzing (Foremost: Full Text Section: Paragraphs 3 and 4)]; and 4) wherein, the site generating component, claim data analyzing component and claim rehabilitation component enable claimants to self-service the claims for the sustained losses using the aggregated services (Foremost: Full Text Section: Paragraphs 3 and 4).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the teachings of Borghesi with the aforementioned teachings from Foremost with the motivation of providing an added convenience to insured (customers), as recited in Foremost (Full text: Paragraph 2).

(B) As per claim 5, in Borghesi in view of Foremost the site is operative as an online claim reporting hub that permits the claimants to report details of personal and commercial insurance claims against any of a plurality of insurers (Borghesi: Figures 2-3 and Col. 5, Ln. 51-Col. 6, Ln. 5).

(D) As per claim 6, in Borghesi in view of Foremost the claimants include individuals and institutions (Borghesi: Figures 2-3 and Col. 5, Ln. 51-Col. 6, Ln. 5).

(E) As per claim 7, in Borghesi in view of Foremost the input insurance claims are selected from the group consisting of automobile claims, homeowners claims and business claims (Borghesi: Col. 2, Ln. 32-37).

(F) As per claim 8, in Borghesi in view of Foremost the site generating component accepts inputs from the global computer network and respond to site users graphically, in sound and in printable forms (Borghesi: Col. 12, Ln. 59-61).

(G) As per claim 9, in Borghesi in view of Foremost the system provides substantially continuous network claim service handling (Borghesi: Col. 5, Ln. 51-Col. 6, Ln. 5).

(H) As per claim 10, in Borghesi in view of Foremost the computer system further comprising a privacy preserving component for preserving site users' privacy while online at the site (Borghesi: Col. 15, Ln. 24-33).

(I) As per claim 14, in Borghesi in view of Foremost the computer system according to claim 3, wherein the system is adapted to process claims processing without an agent, broker or an insurance company (Borghesi: Figure 3 and Col. 5, Ln. 51-Col. 6, Ln. 5).

(J) As per claim 15, in Borghesi in view of Foremost the site is operative as an online consumer-to-business exchange that permits vendors of goods and services to advertise and offer products that individuals and businesses require to rehabilitate a loss (Borghesi: Col. 5, Ln. 5-50).

(K) As per claim 25, this claim is substantially similar to claim 3 insofar as claim limitations are concerned and is therefore rejected in the same manner as claim 3. (The only difference

between claim 3 and claim 25 is that claim 3 is directed towards a system while claim 25 is directed towards a method).

(P) As per claim 27, in Borghesi in view of Foremost the site is operative as an online claim reporting hub that permits insurance claims to be put against any of a plurality of insurers at substantially any time (Borghesi: Figures 2-3 and Col. 5, Ln. 51-Col. 6, Ln. 5).

(R) As per claim 29, in Borghesi in view of Foremost the insurance claims are selected from the group consisting of automobile claims, homeowners claims and business claims (Borghesi: Col. 2, Ln. 32-37).

(S) As per claim 30, in Borghesi in view of Foremost the site generating step includes accepting inputs from the global computer network and responding to site users graphically, in sound and in printable forms (Borghesi: Col. 12, Ln. 59-61).

(T) As per claim 31, in Borghesi in view of Foremost the site generating step includes providing substantially continuous network claim service handling (Borghesi: Col. 5, Ln. 51-Col. 6, Ln. 5).

(U) As per claim 32, Borghesi in view of Foremost teaches further the step of preserving site users' privacy while online at the site (Borghesi: Col. 15, Ln. 24-33).

(X) As per claim 35, in Borghesi in view of Foremost the site is operative as an online consumer-to-business exchange that permits vendors of goods and services to advertise and offer products that individuals and businesses require to rehabilitate a loss (Borghesi: Col. 5, Ln. 5-50).

(Y) As per claim 36, in Borghesi in view of Foremost the aggregating step includes suggesting multiple vendors and services for performing tasks and requirements associated with rehabilitating a claim (Borghesi: Col. 5, Ln. 5-50).

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost, as applied to Claim 3, above, and in even further view of Progressive.com (published on March 1, 2000).

(A) As per claim 16, Borghesi does not teach multiple vendors and services for performing tasks and requirements associated with rehabilitating a claim, however, this feature is well known in the art as evidenced by Progressive.com (Page 1). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the system of Borghesi in view of Foremost with the aforementioned feature from Progressive.com with the motivation of providing a user with a means of comparing insurance policies before making a purchase, as recited in Progressive.com (Page 1).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of "Foremost", as applied to Claim 3, above, and in even further view of US Patent Number 5,704,045 to King.

(A) As per claim 17, Borghesi does not teach that the site is operative as an online business-to-business exchange where sellers, market makers and investors transact for wholesale claims, post-accident purchase and sale of tranches of risk obligations, and subrogation rights, however, this feature is well-known in the art as evidenced by King (Col. 14, Ln. 42-58). At the time of the invention, one of ordinary skill it would have been obvious for one of ordinary skill in the art

to have modified the system of Borghesi in view of Foremost with the aforementioned feature from King with the motivation of providing a means for investors to provide funds to support risk, as recited in King (Col. 14, Ln. 42-45).

6. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost view of King as applied to Claim 17 above and in further view of US Patent Number 5,655,085 to Ryan.

(A) As per claims 18-19, Borghesi in view of Foremost in view of King does not teach an automatic claim scoring and valuing component for automatically scoring a claim to determine the likelihood of recovery and valuing a claim. Borghesi in view of Foremost in view of King also does not teach the feature whereby the automatic claim scoring and valuing component values a claim's subrogation value by reviewing criteria including accident description, loss state, and responsible party and then assigns a subrogation value to the claim; however, the aforementioned features are well known in the art as evidenced by Ryan (Col. 1, Ln. 38-51). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined system of Borghesi in view of Foremost in view of King with the aforementioned teachings from Ryan with the motivation of providing a means for the subrogation rights purchasers to automatically determine which product provides the best value, as recited in Ryan (Col. 1, Ln. 45-49).

7. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost in view of King in view of Ryan, as applied to Claim 19, above, and in even further view of US Patent Number 5,307,262 to Ertel.



(A) As per claims 20-21, the combined system of Borghesi in view of King and Ryan do not teach a claim bundling component that bundles the scored and claimed values into a group of claims that have commonality to the claim. The combined system of Borghesi in view of King and Ryan also does not teach a sale price determining component for determining a sale price for the bundled group of claims, however, the aforementioned features are well known in the art as evidenced by Ertel (Col. 5, Ln. 20-39 and Col. 29, Ln. 11-48). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined system of Borghesi in view of Foremost in view of King in view of Ryan with the aforementioned feature from Ertel with the motivation of facilitating the generation of a wide variety of useful summary reports, as recited in Ertel (Col. 29, Ln. 25-28).

8. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost as applied to Claim 3 above and in further view of US Patent Number 6,453,297 to Burks.

(A) Borghesi does not teach a database which permits selected users to search for similar Claims (identify data patterns), thereby enabling the selected users to identify potential claims which are likely to develop as class action suits or mass tort claims. Borghesi also does not teach an identity concealment component (generic data format) for concealing the identities of claimants of the claims when searching for similar claims in the database, however, the aforementioned features are well known in the art as evidenced by Burks ( Col. 16, Ln. 34-46). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the system of Borghesi in view of Foremost with the aforementioned feature from

Burks with the motivation of providing a user with a means of containing insurance costs, as recited in Burks (Col. 16, Ln. 42-45).

9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system of Borghesi in view of “Foremost” in view of Burks, as applied to Claim 23, above, and in further view of Ertel.

(A) The combined system of Borghesi in view of Foremost in view of Burks also does not teach a sale price determining component for determining a sale price for the bundled group of claims, however, the aforementioned features are well known in the art as evidenced by Ertel (Col. 5, Ln. 20-39 and Col. 29, Ln. 11-48). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined system of Borghesi in view of Foremost in view of Burks with the aforementioned feature from Ertel with the motivation of facilitating the generation of a wide variety of useful summary reports, as recited in Ertel (Col. 29, Ln. 25-28).

10. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost, as applied to Claim 25, and in even further view of King.

(A) As per claim 37, Borghesi in view of Foremost does not teach that the site is operative as an online business-to-business exchange where sellers, market makers and investors transact for wholesale claims, post-accident purchase and sale of tranches of risk obligations, and subrogation rights, however, this feature is well-known in the art as evidenced by King (Col. 14, Ln. 42-58). At the time of the invention, one of ordinary skill it would have been obvious for one of ordinary skill in the art to have modified the method of Borghesi in view of Foremost with

the aforementioned feature from King with the motivation of providing a means for investors to provide funds to support risk, as recited in King (Col. 14, Ln. 42-45).

11. Claims 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost in view of King, as applied to Claim 37, above, and in further view of US Patent Number 5,655,085 to Ryan.

(A) As per claims 38-39, Borghesi in view of King does not teach an automatic claim scoring and valuing component for automatically scoring a claim to determine the likelihood of recovery and valuing a claim. Borghesi in view of Foremost in view of King also does not teach the feature whereby the automatic claim scoring and valuing component values a claim's subrogation value by reviewing criteria including accident description, loss state, and responsible party and then assigns a subrogation value to the claim; however, the aforementioned features are well known in the art as evidenced by Ryan (Col. 1, Ln. 38-51). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined method of Borghesi in view of Foremost in view of King with the aforementioned teachings from Ryan with the motivation of providing a means for the subrogation rights purchasers to automatically determine which product provides the best value, as recited in Ryan (Col. 1, Ln. 45-49).

12. Claims 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi in view of Foremost in view of King in view of Ryan, as applied to Claim 39, above and in further view of US Patent Number 5,307,262 to Ertel.

(A) As per claims 40-44, the combined method of Borghesi in view of Foremost in view of King in view of Ryan do not teach a claim bundling component that bundles the scored and claimed values into a group of claims that have commonality to the claim. The combined method of Borghesi in view of King in view of Ryan does not teach a sale price determining component for determining a sale price for the bundled group of claims. The combined method of Borghesi in view of Foremost in view of King in view of Ryan does not teach a step of providing a database and permitting selected users to search for similar claims, thereby enabling the selected users to identify potential claims which are likely to develop as class action suits or mass tort claims. The combined method of Borghesi in view of King in view of Ryan also does not teach the step of concealing the identities of the claimants of the claims during the claim searching step nor the step of pooling common issues into anonymous class action groups, however, the aforementioned features are well known in the art as evidenced by Ertel (Col. 5, Ln. 20-39 and Col. 29, Ln. 11-48). At the time of the invention, it would have been obvious for one of ordinary skill in the art to have modified the combined method of Borghesi in view of Foremost in view of King in view of Ryan with the aforementioned feature from Ertel with the motivation of facilitating the generation of a wide variety of useful summary reports, as recited in Ertel (Col. 29, Ln. 25-28).

### ***Response to Arguments***

13. Applicant's arguments filed on October 31, 2008 with regard to the pending claims have been fully considered but they are not persuasive. The applicant's arguments will be

addressed in sequential order as they were presented in the "Remarks" section on October 31, 2008.

(1) Applicants argue that the Foremost reference does not teach the following features: a "claim rehabilitation component aggregating services relating to loss recover"; "automatically providing aggregated services to the claimants to rehabilitate the sustained losses in accordance with said analyzing" and [enabling] "claimants to self-service the claims for the sustained losses using the aggregated services". However, the Office takes the position that the Foremost reference does teach these features (Foremost: Full Text Sections: Paragraphs 2-4). Applicants argue that Foremost cannot teach these features because in Foremost an individual contacts the customer. However, the Office would like to point out that even though an individual calls the insured (customer) this does not mean that Foremost does not teach the above mentioned features. In fact, as stated above, Foremost does in fact teach the above mentioned features and moreover there is nothing in the claims that state that an individual cannot contact or does not contact a customer or an insured.

(2) Applicants argue that the Borghesi reference does not teach "a claim data analyzing component analyzing the inputted claims information and identifying the claimants, verifying insurance coverage and summarizing the claims based on the analyzing." However, the Office would like to point out that the Borghesi reference does in fact teach this feature (Col. 9, Ln. 43-56 and Col. 17, Ln. 61-63). The Office takes the position that when the body shop verifies insurance coverage this is done via computer as is commonly known and inherent in the insurance industry and when the body shop determines whether to repair or tear down the car

they are analyzing the claim data and making a decision to repair or tear down the car based on the claim data.

(3) Applicants argue that the present invention is an “open-system” that permits the claim process to proceed without an agent, broker or an insurance company. However, the Office would like to point out that this feature is not in the claims.

(4) Applicants argue that the Borghesi references does not teach a consumer-to-business exchange that permits vendors of goods and services to advertise and offer products that individuals or businesses require to rehabilitate a loss. However, the Office would like to point out that Borghesi advertises a vehicle inspection (Col. 5, Ln. 6-15) and a salvage disposition (Col. 6, Ln. 16-25) and the Office takes the position that these vendors are advertising their services to the insurance claimants because vehicle inspections and salvage dispositions are services that insurance claimants frequently need and therefore Borghesi does include an online consumer-to-business exchange.

(5) The applicants argue that, with regard to Claim 17, the King reference is not exchanged based and therefore the system of King is not integrated with a system for insureds to self-service claims, and does not appear to disclose post-accident purchase and sale of risk obligations and subrogation of rights. However, the Office would like to point that that King (Col. 9, Ln. 9-12) simply states that its system does not impose the rigid contract limitations of an exchange-based structure and it does not imply that the system of King is not exchange based at all. Moreover, King teaches post-accident (i.e. post incident) purchase of sale of risk obligations and subrogation rights (King: Col. 14, Ln. 42-58).

(6) Applicants argue that, with regard to claims 18-19, that the Ryan reference relates to evaluating life insurance policies prior to purchase and has nothing to do either with scoring claims or any type, or with property and casualty insurance nor does Ryan have any disclosure of accident description, loss state, responsible party or subrogation value. However, the Office would like to point out that Ryan does in fact teach these very features (Ryan: Col. 1, Ln. 38-51) and just because Ryan relates to life insurance does not mean that its teachings are not applicable in the instant application because both the instant application and Ryan are in the field of insurance, so the Ryan reference is in an analogous field to the instant application.

(7) Applicants argue that, with regard to claims 20-21, that the Ertel reference has no disclosure related to bundling claims for subrogation value and also there is no disclosure of a sale price determining component. Applicants go on to state that Ertel does not relate to classifying claims to be bundled in groups for subrogation. However, the Office would like to point out that the Ertel reference does in fact teach these features (Col. 5, Ln. 20-39).

(8) Applicants argue that, with regard to claims 22-24, there is no teaching in the Burks reference regarding concealing the identities of claimants who have input claims for sustained losses when searching for similar claims. However, Burks does teach a means for concealing the identities of claimants who have input claims for sustained losses when searching for similar claims because even though Burks states that only the insurance carrier identity is concealed it is inherent that an insured's identity would also be concealed in the system of Burks because there would be no reason to have the identity of the insured in Burks when the purpose of analyzing the records in Burks is for statistical analysis and this type of analysis does not

require that the identity of any particular insured or claimant be revealed. This same rationale also applies to anonymous class groups. Burks teaches performing statistical analysis for various subgroups or class groups and this analysis is also anonymous because even though Burks states that only the insurance carrier is not identified it is inherent that all of the insureds' identities (and hence the class' identity) would also be concealed in the system of Burks when the purpose of analyzing the records in Burks is for statistical analysis and this type of analysis does not require that the identity of any particular insured or claimant be revealed. The applicants also argue that Burks relates to medical claims while the instant application related to sustained losses. However, the Office would like to point out that both the Burks reference and the instant application are in the field of insurance so the Burks reference is in an analogous field to the instant application.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after



the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Koppikar, whose telephone number is (571) 272-5109. The examiner can normally be reached from Monday to Friday between 8 AM and 4:30 PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Jerry O'Connor, can be reached at (571) 272-6787. The fax telephone numbers for this group are either (571) 273-8300 or (703) 872-9326 (for official communications including After Final communications labeled "Box AF").

17. Another resource that is available to applicants is the Patent Application Information Retrieval (PAIR). Information regarding the status of an application can be obtained from the (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAX. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

Application: 09/865,827

Paper No. 20081126

Art Unit: 3686

Page 17

direct.uspto.gov. Should you have questions on access to the Private PAIR system, please feel free to contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sincerely,

/Vivek D Koppikar/  
Examiner, Art Unit 3686  
12/3/2008

/Gerald J. O'Connor/  
Supervisory Patent Examiner  
Group Art Unit 3686